

Accommodating Children with Special Dietary Needs

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Agenda

- Definition of Special Diet – Sandra
- Must vs May - Sandra
- Federal Requirements – Sandra
- Recordkeeping – Sandra
- Understanding Special Diets – Marcie
- Differences – Marcie
- Types– Marcie
- Working with Special Diets– Marcie
- Questions and Answers – both



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Services

Accommodating Children with Special Dietary Needs in the School Nutrition Programs

Guidance for School Food Service Staff



Does a school *have to* provide special diets?

- Schools must make substitutions in foods in the reimbursable meal for students who are disabled and whose disability restricts their diet. (specific definitions)

What are Disabilities?

- Disability is defined in:
 - × Section 504 of the Rehabilitation Act of 1973
 - × Americans with Disabilities Act of 1990
 - × Part B of the Individuals with Disabilities Education Act (IDEA)
- IEP

Disability

- Accommodation **MUST** be made
- **No** extra charge
- A disability determination can only be made by a licensed physician (SDCL 36-4)

Statement for Children with Disabilities

- What the disability is
- How it restricts diet
- Major life activity affected
- Foods to be omitted
- Foods to be substituted
- See NSLP 47.1 memo "prescription"

Food Related Disabilities

- Diabetes
- PKU
- Food Anaphylaxis

Other Food Accommodations

- Texture
- I.V.
- Tube Feeding

Children who are not Disabled but have Other Special Dietary Needs

- Food allergies or intolerances
 - × **NOT** generally disabilities **UNLESS** anaphylactic
- Accommodation **MAY** be made **BUT** is **NOT** Required
- In many cases, allergies can be dealt with through "Offer-Versus-Serve" or by providing additional selections

Statement for Children who are not Disabled

- × The substitutions must be supported by a statement signed by a recognized medical authority (physicians, physician assistants, nurse practitioner, or other professionals) specified by the State agency.
 - See NSLP 47.1 memo "request"

Statement for Children who are not Disabled

(continued)

- × The statement must include:
 - ▮ an identification of the medical or other special dietary condition which restricts the child's diet;
 - ▮ the food or foods to be omitted from the child's diet; and
 - ▮ the food or choice of foods to be substituted.

Recognized Medical Authority

- ▮ Physician
- ▮ Physician Assistant
- ▮ Nurse
- ▮ Nurse Practitioner
- ▮ Other professionals specified by the State agency.

Remember

NEVER

- ▮ Revise or Change a Prescription or Medical Order

ALWAYS

- ▮ Make sure the actions and meals, feeding, etc., do not discriminate

School Food Service Records

- ▮ It is important that all recommendations for accommodations or changes to existing diet orders be documented in writing to protect the school and minimize misunderstandings. Schools should retain copies of special, non-meal pattern diets on file for reviews.
- ▮ The diet orders do not need to be renewed on a yearly basis; however, schools are encouraged to ensure that the diet orders reflect the current dietary needs of the child.

How do we handle this?

- ▮ Follow IEP model – team approach
 - × parent/guardian
 - × food service
 - × student
 - × teacher & teacher's aides
 - × administrator
 - × School nurse
 - × Registered Dietitian
 - × Physician?

**Marcie will now present
Understanding the
Special Diets**

Commonly Asked Questions

These questions are grouped under the following topics:

- ❑ Meals and/or foods outside of the normal meal service
- ❑ Special needs which may or may not involve disabilities
- ❑ Responsibilities of food service management companies and other food service operations
- ❑ Feeding in separate facilities—generally not acceptable
- ❑ Temporary disabilities
- ❑ Complicated feedings
- ❑ School food service account; and
- ❑ Documentation

Meals and/or Foods Outside of the Normal Meal Service

Situation:

As part of the therapy for a child with a disability, the licensed physician has required the child to consume six cans of cranberry juice a day. The juice is to be served at regular intervals, and some of these servings would occur outside of the normal school meal periods. Is the school food service required to provide all of the servings of juice?

Meals and/or Foods Outside of the Normal Meal Service (continued)

Situation:

A child with a disability must have a full breakfast each morning. Is the school food service required to provide a breakfast for this child even though a breakfast program is not available for the general school population?

Meals and/or Foods Outside of the Normal Meal Service (continued)

Situation:

A licensed physician has prescribed portion sizes that exceed the minimum quantity requirements set forth in the regulations. Is the school required to provide these additional quantities?

Special Needs Which May or May Not Involve Disabilities

Situation:

A child has a life threatening allergy which causes an anaphylactic reaction to peanuts. The slightest contact with peanuts or peanut derivatives, usually peanut oil, could be fatal. To what lengths must the food service go to accommodate the child? Is it sufficient for the school food service to merely avoid obvious foods, such as peanut butter, or must school food service staff research every ingredient and additive in processed foods or regularly post all of the ingredients used in recipes?

Special Needs Which May or May Not Involve Disabilities (continued)

Situation:

A child has a health condition that does not meet the definition of "disability" set forth in the legislation and regulations. For example, the child is overweight (but not "morbidly" so), or the child has elevated blood cholesterol. Is the school obligated to accommodate the special dietary needs of this child?

Special Needs Which May or May Not Involve Disabilities (continued)

Situation:

A child's parents have requested that the school prepare a strict vegetarian diet for their child based on a statement from a health food store "nutrition advisor" who is not a licensed physician. Must the school comply with this request?

Responsibilities of Food Service Management Companies (FSMC) And Other Food Service Operations

Situation:

A school district has contracted with a FSMC to operate the school's food service. Is the FSMC obligated to accommodate children with disabilities?

Responsibilities of Food Service Management Companies (FSMC) And Other Food Service Operations (continued)

Situation:

Some schools purchase items from nationally recognized fast-food chains and sell these items on an "a la carte" basis. These items are frequently sold in a setting such as a kiosk which uses the chain's logo or otherwise advertises the product. What obligation, if any, does the fast-food chain have to provide alternative meals?

Feeding In Separate Facilities – Generally Not Acceptable

Situation:

A school wishes to serve meals to children with disabilities in an area separate from the cafeteria where the majority of school children eat. May the school establish a separate facility for these children?

Temporary Disabilities

Situation:

A child was involved in an accident and underwent major oral surgery. As a result, the child will be unable to consume food for a period of time unless the texture is modified. Is the school obligated to make this accommodation even though the child will not be permanently disabled?

Complicated Feedings

Situation:

A child enrolled in the school will require tube feedings. Is the food service only required to pay for and provide the food, or are the costs for the school nurse, an aide or a specially trained professional to administer the feeding also assigned to the food service?

Complicated Feedings

(continued)

Situation:

A child with a disability is on a number of medications. The physician's statement is well defined and includes menus with specific foods. If a situation arises where specific foods are out of stock, should school food service make substitutions on an "as necessary" basis?

School Food Service Account

Situation:

A child with a disability needs to consume six cans of a nutritional supplement during the school day: two cans at breakfast, one can as a mid-morning snack, two cans at lunch, and one can as a mid-afternoon snack. The cost of the breakfast and lunch supplements is allowable food service expenses. If the school chooses to offer the additional supplement at the mid-morning and mid-afternoon snack period, are these allowable costs to the food service account?

School Food Service Account

(continued)

Situation:

A child with a disability requires the services of the school nurse for assistance in feeding at lunch. Can the food service account be billed for the services of non-food service personnel such as the school nurse or special aide who may be assisting in the feeding of the child or other nutrition related activity?

Documentation

Situation:

The physician's statement only specifies the medical disability, not the required food substitutions. What should the food service director do?

FUNDING

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

- Services which may be funded through IDEA:
 - × Special Foods, Supplements, Equipment
 - × Consultation Services
 - × Assistance

FUNDING

MEDICAID

- Varies from state to state
- Paid Directly to Provider

